

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)	MDL No. 1456
AVERAGE WHOLESALE PRICE)	
LITIGATION)	CIVIL ACTION: 01-CV-12257-PBS
THIS DOCUMENT RELATES TO:)	
ALL ACTIONS)	Judge Patti B. Saris
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**[PROPOSED] ORDER GRANTING B. BRAUN MEDICAL
INC.'S MOTION TO DISMISS THE SECOND AMENDED
MASTER CONSOLIDATED CLASS ACTION COMPLAINT**

THIS MATTER is before the Court on B. Braun Medical Inc.'s motion to dismiss, pursuant to Fed.R.Civ.P. 12(b)(1) and 12(b)(6), the claims brought against it in the Second Amended Master Consolidated Class Action Complaint. The Court, having considered all submissions in support and in opposition thereto, hereby orders as follows:

B. Braun Medical Inc.'s Motion to Dismiss the Second Amended Master Consolidated Class Action Complaint is GRANTED.

IT IS SO ORDERED.

Dated: _____

Hon. Patti B. Saris
United States District Court Judge